**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 3644 OF 2001**

The State of Maharashtra and ors. ...Petitioners

Versus

Manohar Y. Kadam ....Respondent

Mr. N.P. Deshpande, Assistant Government Pleader, for the petitioners.
Mr. N.V. Bandiwadekar for the respondent.

**CORAM**: **H.S. BEDI, C.J.,** &
**V.M. KANADE, J.**

**DATE: OCTOBER 09, 2006**.

**P.C.**

It has been stated by the learned counsel for the parties that this matter is covered by the decision of this Court in the case of *State of Maharashtra and another* vs. *Dilip Anant Surve* [2005 (3) Mh. L.J. 98] . We accordingly allow this petition and quash the order dated 14th June, 2001, passed by the Maharashtra Administrative Tribunal, Mumbai Bench, Mumbai, in Original Application No. 784 of 2000 and remit the matter once again to the Tribunal for a decision on the merits of the controversy. We also direct that the *status quo* as of today will be maintained while the matter remains pending with the Tribunal and

that the Tribunal will decide the matter expeditiously. Writ Petition is accordingly allowed with the above terms. Rule is made absolute accordingly.

**CHIEF JUSTICE**

**V.M. KANADE, J.**